

12.727 WARRANT COMPUTER ENTRIES, PRISONER RETURN
AND EXTRADITION

Information:

Pickup Radius Guide

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1 Extradite Interstate
1B Extradite Interstate ("Within 500 miles of
 Cincinnati" entered as a qualifier)
1C Extradite Interstate ("Within 250 miles of
 Cincinnati" entered as a qualifier)
2 Any location within Ohio
3 Ohio ("Within 100 miles of Cincinnati" entered
 as a qualifier)
4 Hamilton County and adjacent Ohio counties
5 Hamilton County only

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### References:

Ohio Revised Code 2963.15 - Release of accused  
Ohio Revised Code 2945.72 - Extension of time for  
hearing or trial  
Rule 1(C)(2) Ohio Rules of Criminal Procedure  
NCIC Operating Manual Part 7, Section 5.6  
Standards Manual - 82.3.8

**Purpose:**

Centralize the responsibility for all computer warrant entries with the Hamilton County Warrant Identification Unit (W/IU).

Establish the authority for ordering standard warrant entry, approving exceptional warrant entry, and extradition in individual cases.

Establish responsibility for return of prisoners in cases where legal extradition proceedings are necessary, extradition is waived in a court of record, and intrastate prisoner returns.

Establish the Criminal Investigation Section (CIS) as the central authority for coordinating extradition proceedings.

Ensure that an extradition proceeding is conducted when necessary. It is a violation of federal law to extradite a person without a formal judicial hearing.

**Procedure:****A. Warrant Entry and Prisoner Return:**

1. Only the W/IU Unit enters warrants into computer files.
  - a. Enter Cincinnati traffic warrants into RCIC, pickup radius #5.
    - 1) In exceptional cases (multiple traffic warrants or aggravated circumstances) entry may be made into the LEADS system, pickup radius #4. This requires a special request from the district, section, or unit commander. Submit a Request for NCIC/LEADS Wanted Person Computer Entry (Form 450) through channels to the W/IU Commander.
    - 2) If an individual is arrested in another jurisdiction in Hamilton or an adjacent Ohio County, on a Cincinnati warrant, the closest district will respond to pick up the prisoner.
      - a) The Patrol Bureau has the responsibility and authority to determine which district is closest. This information has been programmed into the computer aided dispatch (CAD) system. PCS will notify that district's officer in charge (OIC) to return the prisoner as soon as possible.
  - b. Pick up and return of subjects arrested on misdemeanor or felony warrants in an Ohio county other than Hamilton County or an adjacent Ohio county.
    - 1) The subject may not be returned to Cincinnati until he is brought before a court of record and given the opportunity to consult with an attorney or a person of his choice, and to post bail as determined by a judge of that court.

- a) If the subject is not released on bail, he may be immediately returned to Cincinnati.
  - 2) If a wanted subject is arrested in Ohio, outside of Hamilton County, or an adjacent Ohio county, the district, section, or unit assigned the warrant is responsible for the return. CIS will coordinate these efforts.
  - 3) The officer returning the subject will coordinate final return details with the arresting authority.
- c. Enter Cincinnati misdemeanor warrants into RCIC, pickup radius #5. Enter Cincinnati misdemeanor domestic violence warrants into RCIC, pickup radius #4.
- 1) The pickup radius may be extended in Ohio, pickup radius #2, #3, or #4, as in Section A.1.a.1).
  - 2) If a wanted subject is located by a jurisdiction in Hamilton County or an adjacent Ohio county, handle prisoner return as in Section A.1.a.2).
    - a) The Patrol Bureau commander has the responsibility and authority to determine which district is closest. This information has been programmed into the CAD system. PCS will notify the district's OIC to return the prisoner as soon as possible.
    - b) Normally first shift personnel will pick up prisoners when there is more than a two-hour drive one way. Occasionally other shift personnel may have to pick up prisoners. Make arrangements in advance with the holding agency to pick up the prisoner during appropriate hours.

- d. Enter Cincinnati Felony I, II, and III warrants into NCIC/LEADS, pickup radius #1B.
- e. Enter Cincinnati Felony IV warrants into NCIC/LEADS, pickup radius #1C.
  - 1) Felony cases will not be considered for entry in NCIC with a pickup radius #1 unless a district, section, or unit commander submits a Form 450 to the CIS Commander, justifying the request for an expanded pickup radius.
    - a) The CIS commander may authorize the expanded pickup radius. He will forward the Form 450 to the W/IU with a copy to the requesting officer.
  - 2) The W/IU Commander will refer requests for private felony affidavits to be entered into LEADS and NCIC to the CIS Commander for assignment of a proper pickup radius.
  - 3) Pick up and return of all subjects arrested on a felony warrant is the responsibility of the district, section, or unit responsible for the continuing investigation of the original offense.
  - 4) A recommendation to decrease a pickup radius can be made by anyone involved with the arrest or warrant service. The district commander will submit a Form 450 to the CIS Commander.
- f. All persons having ten or more city warrants will immediately be entered into the LEADS system with a pickup radius of 4.

B. Extradition Procedure - Arrested in Another State:

1. When a subject is arrested for the Cincinnati Police Division in another state, an extradition waiver must be completed if the subject is willing to waive the right of extradition. This waiver must be done in a formal judicial hearing.
  - a. When CIN-1 or any CPD terminal is notified of the arrest, that terminal operator will telephone and teletype the arrest information to the W/IU.
  - b. After confirming the warrant, the W/IU will notify CIS of the arrest.
  - c. The W/IU will contact the terminal operator with instructions to send a teletype confirming the warrant and extradition procedures.
  - d. Make all notifies as quickly as possible. There is an NCIC time limit of ten minutes to confirm or reject the wanted entry. If the entering agency is not able to confirm or deny the entry, they must respond as to how much time is needed for a confirmation response.
2. If the prisoner refuses to waive extradition, CIS will coordinate the extradition process according to existing CIS standard operating procedure.
3. If the Cincinnati Police Division decides not to extradite, the W/IU will cancel or modify the NCIC entry.
  - a. The CIS commander will make the determination regarding the cancellation or modification of the entry and notify the holding agency, via teletype.
  - b. If the subject of the warrant can no longer be prosecuted, extradition will not occur.

C. Extradition Procedure - Wanted in Another State:

1. When a computer hit is received by Cincinnati Police Division personnel on a felony warrant for a subject wanted in another state, the arresting unit will notify the PCS CIN-1 operator. The CIN-1 operator will send a teletype to the originating agency.
  - a. NCIC procedure states the originating agency must confirm within ten minutes, by teletype, the existence of the warrant and their desire to have the individual held, or at least acknowledge receipt of the message and send other information later.
    - 1) The decision to extradite does not need to be made within ten minutes, only the decision to hold pending the extradition process.
  - b. If the confirmation teletype is not received within ten minutes, send a second teletype.
    - 1) If no response is received within ten minutes after the second teletype, the CIN-1 operator will call the affected agency by telephone and/or notify LEADS control.
    - 2) Should the telephone call(s) produce no results, and there are no local charges or wants, inform a supervisor of the arresting unit of the situation. The supervisor will decide whether to attempt further notification or to release the subject, considering the seriousness of the charge for which the subject is wanted.
  - c. CIN-1 will notify the arresting officer or unit of the return message or lack of it.

- d. If the affected agency confirms the warrant and hold, the arresting unit will prepare an Arrest and Investigation Report (Form 527) and attach a copy of the confirming teletype. The transporting officer should call the teletype to the attention of Justice Center Central Intake personnel. (The notification of the desire to extradite does not have to accompany the Form 527 at this time.)
    - 1) PCS should forward a copy of the extradition teletype to Central Intake if, and when, it is received.
    - 2) The Hamilton County Sheriff's Office Fugitive Warrant Unit has responsibility for coordination once the prisoner is in the Justice Center. Notify CIN-1 so they can direct a teletype message to the affected agency notifying them to direct all further inquiries to the Hamilton County Sheriff's Office Fugitive Warrant Unit at (513) 632-8801 or NCIC #OH0310000.
  - e. If for any reason the arresting officer feels he needs to contact the affected agency, he must receive permission from a supervisor before doing so.
    - 1) When contacting, or if contacted by the affected agency, officers are not to inform the agency to respond to pick up the prisoner.
    - 2) Direct any questions regarding prisoner pick up or extradition proceedings to the Hamilton County Sheriff's Office Fugitive Warrant Unit at (513) 632-8801 or NCIC #OH0310000.
2. For informational purposes, the arresting officer will contact CIS with the arrest information.

3. The Ohio Criminal Code prohibits the release of a subject to another state without a mandatory hearing before a court of record. Verbal or written waivers out of court are not valid.
4. No subject will be arrested or extradited for a misdemeanor or traffic offense to or from another state.



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